

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DANIEL SMIGIEL,

Plaintiff,

- against -

COLLEGE OF STATEN ISLAND,
DR. FRANCES MELENDEZ,
And DR. LAUREN ROGERS-SIRIN

Defendants.

21-CV-06323 (MKB)(RML)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law, and all prior pleadings and proceedings herein, the Defendants, by their attorney, LETITIA JAMES, Attorney General of the State of New York, will move this Court before the Honorable Margo K. Brodie, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201 at a date and time to be determined by the Court, for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure dismissing the Complaint for lack of subject matter jurisdiction and failure to state a claim upon which relief may be granted, and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
May 9, 2022

LETITIA JAMES
Attorney General of the
State of New York
Attorney for Defendants
By:

/s/ Jane P. Rosales
Jane P. Rosales
Assistant Attorney General
28 Liberty Street
New York, New York 10005
(212) 416-8249

cc:

Keith Altman
The Law Office of Keith Altman
33228 West 12 Mile Road, Suite 375
Farmington Hills, Michigan 48331